

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
4:11-CV-00211-D

JERRY L. PACE, SR., Administrator of the
Estate of JERRY L. PACE, JR.,

Plaintiff,

v.

STEVE SMITH, individually and in his
official capacity as former Chief of Police of
the city of Williamston Police Department,
North Carolina; JAMES GRUBB, Chief of
Police of the City of Williamston Police
Department, North Carolina; DAN GIBBS,
individually and in his official capacity as
the Sheriff of Martin County; DAVID
LUCIDO, individually and in his official
capacity as a Williamston North Carolina
police officer; KEITH OWEN, individually
and in her official capacity as a Williamston
North Carolina police officer; UNKNOWN
OFFICERS, individually and in their
Official capacity as a Williamston North
Carolina police officer; and UNKNOWN
DEPUTIES, individually and in their
official capacity as Martin County
Sheriff Deputies,

Defendants.

ORDER ALLOWING
DEFENDANT DAN GIBBS
AND UNKNOWN DEPUTIES
TO BE INCLUDED IN LIMITED
STAY OF DISCOVERY

On March 29, 2012, defendants Steve Smith, David Lucido, and Keith Owen (the "Williamston Defendants") filed a motion for a limited stay of discovery, save for that discovery directly related to facts concerning the issue of qualified immunity, until the Court rules upon said defendants' qualified immunity from suit in this action. [D.E. 28.] On May 25, 2012, this Court granted said motion. [D.E. 33.]

On June 6, 2012, defendants Dan Gibbs and Unknown Deputies (the "Martin County Defendants") filed a motion to be included in this limited stay, and represented that the plaintiff's counsel does not oppose this motion. [D.E. 34.]

The Martin County Defendants are law enforcement officers and have raised the same affirmative defense of qualified immunity as the Williamston Defendants. It will therefore be efficient for said defendants to be included in the Court's limited stay of discovery on the issue of qualified immunity. It appearing that all parties consent, it is therefore ordered by this Court that discovery in this matter is stayed pending the Court's resolution of the issue of qualified immunity from suit for the Williamston and the Martin County defendants alike.

SO ORDERED. This 29 day of June 2012.


JAMES C. DEVER III
Chief United States District Judge